

1  
2 97. Answering Defendants admit that Article 7 of the Kagman Lease speaks for itself.  
3 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
4 97.

5 98. Answering Defendants admit that Article 12 of the Kagman Lease speaks for itself.  
6 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
7 98.

8 99. Answering Defendants admit that Article 12 of the Kagman Lease speaks for itself.  
9 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
10 99.

11 100. Answering Defendants admit that Article 12 of the Kagman Lease speaks for itself.  
12 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
13 100.

14 101. Answering Defendants admit that Article 12 of the Kagman Lease speaks for itself.  
15 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
16 101.

17 102. Answering Defendants admit that Article 12 of the Kagman Lease speaks for itself.  
18 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
19 102.

20 103. Answering Defendants admit that Article 12 of the Kagman Lease speaks for itself.  
21 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
22 103.

23 104. Answering Defendants admit each and every allegation contained in paragraph  
24 number 104 of the Complaint.

25 105. Answering Defendants admit that Article 23 of the Kagman Lease speaks for itself.  
26 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
27 105.

1           106. Answering Defendants admit that Article 19 of the Kagman Lease speaks for itself.  
2 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
3 106.

4           107. Answering Defendants admit that Article 26 of the Kagman Lease speaks for itself.  
5 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
6 107.

7           108. Answering Defendants admit that Article 27 of the Kagman Lease speaks for itself.  
8 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
9 108.

10           109. Answering Defendants admit that Article 28 of the Kagman Lease speaks for itself.  
11 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
12 109.

13           110. Answering Defendants admit that Article 35A of the Kagman Lease speaks for  
14 itself. Except as expressly admitted, Answering Defendants deny the allegations contained in  
15 paragraph 110

16           111. Answering Defendants have insufficient information to form a belief as to the truth  
17 of paragraph 111 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
18 allegations and each of them and require strict proof thereof.

19           112. Answering Defendants admit that on June 22, 1992, MPLC and MTC executed a  
20 Lease Agreement (the "Sinapalu Lease") which was files at the Commonwealth Recorder's Office  
21 as File No. 92-2048, dated June 22, 1992. Under the Sinapalu Lease, MPLC is the Lessor, and the  
22 MTC is the Lessee. Except as expressly admitted, Answering Defendants deny the allegations  
23 contained in paragraph 112.

24           113. Answering Defendants admit each and every allegation contained in paragraph  
25 number 113 of the Complaint.

26           114. Answering Defendants admit each and every allegation contained in paragraph  
27 number 114 of the Complaint.  
28

1           115. Answering Defendants admit that Article 5 of the Sinapalu Lease speaks for itself.  
2 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
3 115.

4           116. Answering Defendants admit that Article 5D of the Sinapalu Lease speaks for itself.  
5 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
6 116.

7           117. Answering Defendants admit that Article 6 of the Sinapalu Lease speaks for itself.  
8 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
9 117.

10           118. Answering Defendants admit that Article 6 of the Sinapalu Lease speaks for itself.  
11 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
12 118.

13           119. Answering Defendants admit each and every allegation contained in paragraph  
14 number 119 of the Complaint.

15           120. Answering Defendants admit that Article 7 of the Sinapalu Lease speaks for itself.  
16 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
17 120.

18           121. Answering Defendants admit each and every allegation contained in paragraph  
19 number 121 of the Complaint.

20           122. Answering Defendants admit that Article 12 of the Sinapalu Lease speaks for itself.  
21 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
22 122.

23           123. Answering Defendants admit that Article 12 of the Sinapalu Lease speaks for itself.  
24 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
25 123.

26           124. Answering Defendants admit that Article 12 of the Sinapalu Lease speaks for itself.  
27 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
28 124.

1           125. Answering Defendants admit that Article 12 of the Sinapalu Lease speaks for itself.  
2 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
3 125.

4           126. Answering Defendants admit that Article 12 of the Sinapalu Lease speaks for itself.  
5 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
6 126.

7           127. Answering Defendants admit that Article 12 of the Sinapalu Lease speaks for itself.  
8 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
9 127.

10          128. Answering Defendants admit each and every allegation contained in paragraph  
11 number 128 of the Complaint.

12          129. Answering Defendants admit that Article 23 of the Sinapalu Lease speaks for itself.  
13 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
14 129.

15          130. Answering Defendants admit that Article 19 of the Sinapalu Lease speaks for itself.  
16 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
17 130.

18          131. Answering Defendants admit that Article 26 of the Sinapalu Lease speaks for itself.  
19 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
20 131.

21          132. Answering Defendants admit that Article 27 of the Sinapalu Lease speaks for itself.  
22 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
23 132.

24          133. Answering Defendants admit that Article 28 of the Sinapalu Lease speaks for itself.  
25 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
26 133.

1           134. Answering Defendants admit that Article 35A of the Sinapalu Lease speaks for  
2 itself. Except as expressly admitted, Answering Defendants deny the allegations contained in  
3 paragraph 134.

4           135. Answering Defendants have insufficient information to form a belief as to the truth  
5 of paragraph 135 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
6 allegations and each of them and require strict proof thereof.

7           136. Answering Defendants admit each and every allegation contained in paragraph  
8 number 136 of the Complaint.

9           137. Answering Defendants admit each and every allegation contained in paragraph  
10 number 137 of the Complaint.

11           138. Answering Defendants admit that on October 27, 1983, the Franchise was amended.  
12 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
13 138.

14           139. Answering Defendants admit that the Franchise speaks for itself. Except as  
15 expressly admitted, Answering Defendants deny the allegations contained in paragraph 139.

16           140. Answering Defendants admit that the MTC cable network is buried underground.  
17 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph  
18 140.

19           141. Answering Defendants deny each and every allegation contained in paragraph  
20 number 141 of the Complaint.

21           142. Answering Defendants admit that they knew that the public lands belong to the  
22 Northern Marianas Descent. Except as expressly admitted, Answering Defendants deny the  
23 allegations contained in paragraph 142.

24           143. Answering Defendants deny each and every allegation contained in paragraph  
25 number 143 of the Complaint.

26           144. Answering Defendants admit each and every allegation contained in paragraph  
27 number 144 of the Complaint.

1           145. Answering Defendants deny each and every allegation contained in paragraph  
2 number 145 of the Complaint.

3           146. Answering Defendants admit that Fiber Optic Act became law in 1996 and that it  
4 speaks for itself. Except as expressly admitted, Answering Defendants deny the allegations  
5 contained in paragraph 146.

6           147. The allegations contained in paragraph 147 are conclusions of law to which no  
7 response is required; to the extent that they may be deemed allegations of fact, they are denied.

8           148. Answering Defendants admit that Exhibit "G" is a letter dated July 10, 1996 and  
9 that letter speaks for itself. Except as expressly admitted, Answering Defendants deny the  
10 allegations contained in paragraph 148.

11           149. Answering Defendants admit that MTC layed Fiber Optic cable between Saipan,  
12 Tinian and Rota. Except as expressly admitted, Answering Defendants deny the allegations  
13 contained in paragraph 149.

14           150. Answering Defendants admit each and every allegation contained in paragraph  
15 number 150 of the Complaint.

16           151. Answering Defendants admit each and every allegation contained in paragraph  
17 number 151 of the Complaint.

18           152. Answering Defendants admit that on or about May 15, 1997, MTC provided  
19 customers 30 minutes free calling between Saipan, Tinian and Rota and reduced its rate from \$0.25  
20 per minute to \$0.15 per minute for minutes after the 30 free minutes. Other allegations contained  
21 in paragraph 152 are conclusions of law to which no response is required; to the extent that they  
22 may be deemed allegations of fact, they are denied.

23           153. Answering Defendants deny each and every allegation contained in paragraph  
24 number 153 of the Complaint.

25           154. Answering Defendants have insufficient information to form a belief as to the truth  
26 of paragraph 154 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
27 allegations and each of them and require strict proof thereof.  
28

1           155. Answering Defendants have insufficient information to form a belief as to the truth  
2 of paragraph 155 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
3 allegations and each of them and require strict proof thereof.

4           156. In answering the allegations in paragraph 156, Answering Defendants incorporate  
5 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
6 Defendants' answer.

7           157. Answering Defendants have insufficient information to form a belief as to the truth  
8 of paragraph 157 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
9 allegations and each of them and require strict proof thereof.

10          158. Answering Defendants deny each and every allegation contained in paragraph  
11 number 158 of the Complaint.

12          159. Answering Defendants deny each and every allegation contained in paragraph  
13 number 159 of the Complaint.

14          160. Answering Defendants deny each and every allegation contained in paragraph  
15 number 160 of the Complaint.

16          161. In answering the allegations in paragraph 161, Answering Defendants incorporate  
17 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
18 Defendants' answer.

19          162. Answering Defendants have insufficient information to form a belief as to the truth  
20 of paragraph 162 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
21 allegations and each of them and require strict proof thereof.

22          163. Answering Defendants deny each and every allegation contained in paragraph  
23 number 163 of the Complaint.

24          164. Answering Defendants deny each and every allegation contained in paragraph  
25 number 164 of the Complaint.

26          165. Answering Defendants deny each and every allegation contained in paragraph  
27 number 165 of the Complaint.

1           166. In answering the allegations in paragraph 166, Answering Defendants incorporate  
2 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
3 Defendants' answer.

4           167. Answering Defendants have insufficient information to form a belief as to the truth  
5 of paragraph 167 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
6 allegations and each of them and require strict proof thereof.

7           168. Answering Defendants deny each and every allegation contained in paragraph  
8 number 168 of the Complaint.

9           169. Answering Defendants deny each and every allegation contained in paragraph  
10 number 169 of the Complaint.

11           170. Answering Defendants deny each and every allegation contained in paragraph  
12 number 170 of the Complaint.

13           171. In answering the allegations in paragraph 171, Answering Defendants incorporate  
14 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
15 Defendants' answer.

16           172. Answering Defendants have insufficient information to form a belief as to the truth  
17 of paragraph 172 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
18 allegations and each of them and require strict proof thereof.

19           173. Answering Defendants deny each and every allegation contained in paragraph  
20 number 173 of the Complaint.

21           174. Answering Defendants deny each and every allegation contained in paragraph  
22 number 174 of the Complaint.

23           175. Answering Defendants deny each and every allegation contained in paragraph  
24 number 175 of the Complaint.

25           176. In answering the allegations in paragraph 176, Answering Defendants incorporate  
26 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
27 Defendants' answer.



1 177. Answering Defendants have insufficient information to form a belief as to the truth  
2 of paragraph 177 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
3 allegations and each of them and require strict proof thereof.

4 178. Answering Defendants deny each and every allegation contained in paragraph  
5 number 178 of the Complaint.

6 179. Answering Defendants deny each and every allegation contained in paragraph  
7 number 179 of the Complaint.

8 180. Answering Defendants deny each and every allegation contained in paragraph  
9 number 180 of the Complaint.

10 181. In answering the allegations in paragraph 181, Answering Defendants incorporate  
11 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
12 Defendants' answer.

13 182. Answering Defendants have insufficient information to form a belief as to the truth  
14 of paragraph 182 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
15 allegations and each of them and require strict proof thereof.

16 183. Answering Defendants deny each and every allegation contained in paragraph  
17 number 183 of the Complaint.

18 184. Answering Defendants deny each and every allegation contained in paragraph  
19 number 184 of the Complaint.

20 185. Answering Defendants deny each and every allegation contained in paragraph  
21 number 185 of the Complaint.

22 186. Answering Defendants deny each and every allegation contained in paragraph  
23 number 186 of the Complaint.

24 187. Answering Defendants deny each and every allegation contained in paragraph  
25 number 187 of the Complaint.

26 188. Answering Defendants deny each and every allegation contained in paragraph  
27 number 188 of the Complaint.  
28

1           189. In answering the allegations in paragraph 189, Answering Defendants incorporate  
2 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
3 Defendants' answer.

4           190. Answering Defendants have insufficient information to form a belief as to the truth  
5 of paragraph 190 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
6 allegations and each of them and require strict proof thereof.

7           191. Answering Defendants deny each and every allegation contained in paragraph  
8 number 191 of the Complaint.

9           192. Answering Defendants deny each and every allegation contained in paragraph  
10 number 192 of the Complaint.

11           193. Answering Defendants deny each and every allegation contained in paragraph  
12 number 193 of the Complaint.

13           194. Answering Defendants deny each and every allegation contained in paragraph  
14 number 194 of the Complaint.

15           195. Answering Defendants deny each and every allegation contained in paragraph  
16 number 195 of the Complaint.

17           196. Answering Defendants deny each and every allegation contained in paragraph  
18 number 196 of the Complaint.

19           197. In answering the allegations in paragraph 197, Answering Defendants incorporate  
20 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
21 Defendants' answer.

22           198. Answering Defendants have insufficient information to form a belief as to the truth  
23 of paragraph 198 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
24 allegations and each of them and require strict proof thereof.

25           199. Answering Defendants deny each and every allegation contained in paragraph  
26 number 199 of the Complaint.

27           200. Answering Defendants deny each and every allegation contained in paragraph  
28 number 200 of the Complaint.

1           201. Answering Defendants deny each and every allegation contained in paragraph  
2 number 201 of the Complaint.

3           202. Answering Defendants deny each and every allegation contained in paragraph  
4 number 202 of the Complaint.

5           203. Answering Defendants deny each and every allegation contained in paragraph  
6 number 203 of the Complaint.

7           204. Answering Defendants deny each and every allegation contained in paragraph  
8 number 204 of the Complaint.

9           205. In answering the allegations in paragraph 205, Answering Defendants incorporates  
10 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
11 Defendants' answer.

12           206. Answering Defendants have insufficient information to form a belief as to the truth  
13 of paragraph 206 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
14 allegations and each of them and require strict proof thereof.

15           207. Answering Defendants deny each and every allegation contained in paragraph  
16 number 207 of the Complaint.

17           208. Answering Defendants deny each and every allegation contained in paragraph  
18 number 208 of the Complaint.

19           209. Answering Defendants deny each and every allegation contained in paragraph  
20 number 209 of the Complaint.

21           210. Answering Defendants deny each and every allegation contained in paragraph  
22 number 210 of the Complaint.

23           211. Answering Defendants deny each and every allegation contained in paragraph  
24 number 211 of the Complaint.

25           212. Answering Defendants deny each and every allegation contained in paragraph  
26 number 212 of the Complaint.

1           213. In answering the allegations in paragraph 213, Answering Defendants incorporates  
2 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
3 Defendants' answer.

4           214. Answering Defendants have insufficient information to form a belief as to the truth  
5 of paragraph 214 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
6 allegations and each of them and require strict proof thereof.

7           215. Answering Defendants deny each and every allegation contained in paragraph  
8 number 215 of the Complaint.

9           216. Answering Defendants deny each and every allegation contained in paragraph  
10 number 216 of the Complaint.

11           217. Answering Defendants deny each and every allegation contained in paragraph  
12 number 217 of the Complaint.

13           218. Answering Defendants deny each and every allegation contained in paragraph  
14 number 218 of the Complaint.

15           219. Answering Defendants deny each and every allegation contained in paragraph  
16 number 219 of the Complaint.

17           220. Answering Defendants deny each and every allegation contained in paragraph  
18 number 220 of the Complaint.

19           221. In answering the allegations in paragraph 221, Answering Defendants incorporate  
20 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
21 Defendant's answer.

22           222. Answering Defendants admit that entered into possession of the Susupe Premises as  
23 a tenant for a term of 20 years which expired on or about June 30, 2000. Except as expressly  
24 admitted, Answering Defendants deny the allegations contained in paragraph 222.

25           223. Answering Defendants deny each and every allegation contained in paragraph  
26 number 223 of the Complaint.

27           224. Answering Defendants admit that they entered into possession of the As Gonno  
28 Premises, the Garapan Premises, the Kagman Premises, and the Sinapalu as a tenant for a term of

1 years. Except as expressly admitted, Answering Defendants deny the allegations contained in  
2 paragraph 224.

3 225. Answering Defendants deny each and every allegation contained in paragraph  
4 number 225 of the Complaint.

5 226. Answering Defendants deny each and every allegation contained in paragraph  
6 number 226 of the Complaint.

7 227. Answering Defendants deny each and every allegation contained in paragraph  
8 number 227 of the Complaint.

9 228. Answering Defendants have insufficient information to form a belief as to the truth  
10 of paragraph 228 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
11 allegations and each of them and require strict proof thereof.

12 229. Answering Defendants deny each and every allegation contained in paragraph  
13 number 229 of the Complaint.

14 230. Answering Defendants deny each and every allegation contained in paragraph  
15 number 230 of the Complaint.

16 231. In answering the allegations in paragraph 231, Answering Defendants incorporate  
17 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
18 Defendant's answer.

19 232. Answering Defendants deny each and every allegation contained in paragraph  
20 number 232 of the Complaint.

21 233. Answering Defendants deny each and every allegation contained in paragraph  
22 number 233 of the Complaint.

23 234. Answering Defendants deny each and every allegation contained in paragraph  
24 number 234 of the Complaint.

25 235. Answering Defendants deny each and every allegation contained in paragraph  
26 number 235 of the Complaint.

1           236. In answering the allegations in paragraph 236, Answering Defendants incorporate  
2 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
3 Defendant's answer.

4           237. Answering Defendants admit each and every allegation contained in paragraph  
5 number 237 of the Complaint.

6           238. Answering Defendants deny each and every allegation contained in paragraph  
7 number 238 of the Complaint.

8           239. Answering Defendants deny each and every allegation contained in paragraph  
9 number 239 of the Complaint.

10          240. Answering Defendants deny each and every allegation contained in paragraph  
11 number 240 of the Complaint.

12          241. Answering Defendants deny each and every allegation contained in paragraph  
13 number 241 of the Complaint.

14          242. Answering Defendants deny each and every allegation contained in paragraph  
15 number 242 of the Complaint.

16          243. Answering Defendants deny each and every allegation contained in paragraph  
17 number 243 of the Complaint.

18          244. In answering the allegations in paragraph 244, Answering Defendant incorporates  
19 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
20 Defendant's answer.

21          245. Answering Defendants deny each and every allegation contained in paragraph  
22 number 245 of the Complaint.

23          246. Answering Defendants have insufficient information to form a belief as to the truth  
24 of paragraph 246 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
25 allegations and each of them and require strict proof thereof.

26          247. Answering Defendants deny each and every allegation contained in paragraph  
27 number 247 of the Complaint.

1           248. Answering Defendants deny each and every allegation contained in paragraph  
2 number 248 of the Complaint.

3           249. Answering Defendants admit that PTI is the stockholder of MTC. Except as  
4 expressly admitted, Answering Defendants deny the allegations contained in paragraph 249.

5           250. Answering Defendant denies each and every allegation contained in paragraph  
6 number 250 of the Complaint.

7           251. Answering Defendant denies each and every allegation contained in paragraph  
8 number 251 of the Complaint.

9           252. In answering the allegations in paragraph 252, Answering Defendants incorporate  
10 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
11 Defendants' answer.

12           253. Answering Defendants deny each and every allegation contained in paragraph  
13 number 253 of the Complaint.

14           254. Answering Defendants deny each and every allegation contained in paragraph  
15 number 254 of the Complaint.

16           255. Answering Defendants have insufficient information to form a belief as to the truth  
17 of paragraph 255 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
18 allegations and each of them and require strict proof thereof.

19           256. Answering Defendants deny each and every allegation contained in paragraph  
20 number 256 of the Complaint.

21           257. Answering Defendants have insufficient information to form a belief as to the truth  
22 of paragraph 257 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
23 allegations and each of them and require strict proof thereof.

24           258. Answering Defendants deny each and every allegation contained in paragraph  
25 number 258 of the Complaint.

26           259. Answering Defendants deny each and every allegation contained in paragraph  
27 number 259 of the Complaint.

1           260. Answering Defendants deny each and every allegation contained in paragraph  
2 number 260 of the Complaint.

3           261. Answering Defendants deny each and every allegation contained in paragraph  
4 number 261 of the Complaint.

5           262. Answering Defendants deny each and every allegation contained in paragraph  
6 number 262 of the Complaint.

7           263. Answering Defendants have insufficient information to form a belief as to the truth  
8 of paragraph 263 of Plaintiffs' Complaint and placing their denial on that ground, deny the  
9 allegations and each of them and require strict proof thereof.

10          264. Answering Defendants deny each and every allegation contained in paragraph  
11 number 264 of the Complaint.

12          265. Answering Defendants deny each and every allegation contained in paragraph  
13 number 265 of the Complaint.

14          266. In answering the allegations in paragraph 266, Answering Defendants incorporate  
15 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
16 Defendant's answer.

17          267. Answering Defendants deny each and every allegation contained in paragraph  
18 number 267 of the Complaint.

19          268. Answering Defendants deny each and every allegation contained in paragraph  
20 number 268 of the Complaint.

21          269. Answering Defendants deny each and every allegation contained in paragraph  
22 number 269 of the Complaint.

23          270. Answering Defendants deny each and every allegation contained in paragraph  
24 number 270 of the Complaint.

25          271. Answering Defendants deny each and every allegation contained in paragraph  
26 number 271 of the Complaint.

27          272. Answering Defendants deny each and every allegation contained in paragraph  
28 number 272 of the Complaint.



1           273. In answering the allegations in paragraph 273, Answering Defendants incorporate  
2 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
3 Defendant's answer.

4           274. Answering Defendants deny each and every allegation contained in paragraph  
5 number 274 of the Complaint.

6           275. Answering Defendants deny each and every allegation contained in paragraph  
7 number 275 of the Complaint.

8           276. In answering the allegations in paragraph 276, Answering Defendants incorporate  
9 by reference each and every admission and denial contained in paragraph 1-278 of Answering  
10 Defendant's answer.

11           277. Answering Defendants admit that leases speak for themselves. Except as expressly  
12 admitted, Answering Defendants deny the allegations contained in paragraph 277.

13           278. The allegations contained in paragraph 278 are conclusions of law to which no  
14 response is required; to the extent that they may be deemed allegations of fact, they are denied.

#### 15 16                                   **GENERAL DENIAL**

17           Except for those facts expressly admitted, Answering Defendants generally deny all  
18 allegations in the Complaint. Answering Defendant further deny that Plaintiffs are entitled to the  
19 relief sought in the prayer contained on pages 48 - 49 of the Complaint or to any relief whatsoever.

#### 20 21                                   **AFFIRMATIVE DEFENSES**


- 22
- 23           1. On information and belief, Defendants allege as a First Affirmative Defense, that  
24           Plaintiffs fail to state a claim upon a relief can be granted.
  - 25           2. On information and belief, Defendants allege as a Second Affirmative Defense, that  
26           Plaintiffs' claims are barred by Waiver.
- 27  
28

- 1           3.     On information and belief, Defendants allege as a Third Affirmative Defense, that
- 2                 Plaintiffs' claims are barred by Estoppel.
- 3
- 4           4.     On information and belief, Defendants allege as a Fourth Affirmative Defense, that
- 5                 Plaintiffs' claims are barred by Fraud.
- 6
- 7           6.     On information and belief, Defendants allege as a Fifth Affirmative Defense, that
- 8                 Plaintiffs' claims are barred by the Statute of Limitations.
- 9
- 10          7.     On information and belief, Defendants allege as a Sixth Affirmative Defense, that
- 11                 Plaintiffs' claims are barred by Illegality.
- 12
- 13          8.     On information and belief, Defendants allege as a Seventh Affirmative Defense,
- 14                 that Plaintiffs' claims are barred by Laches.
- 15
- 16          9.     On information and belief, Defendants allege as an Eighth Affirmative Defense,
- 17                 that Plaintiffs' claims are barred by Unclean hands.
- 18
- 19          10.    On information and belief, Defendants allege as a Ninth Affirmative Defense,
- 20                 that Plaintiffs' claims are barred by Release.
- 21
- 22          11.    On information and belief, Defendants allege as a Tenth Affirmative Defense,
- 23                 that Plaintiffs' claims are barred by Statute of Frauds.
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- 25          12.    On information and belief, Defendants allege as an Eleventh Affirmative Defense,
- 26                 that Plaintiffs' claims are limited because Plaintiff has not suffered damage or
- 27                 because of Plaintiff's failure to mitigate damages.
- 28          13.    On information and belief, Defendants allege as a Twelve Affirmative Defense,
- that Plaintiffs' claims are preempted by Federal Law and/or the United States
- Constitution.

**WHEREFORE, DEFENDANT PRAYS THAT:**

1. Plaintiffs take nothing by their complaint;
2. Answering Defendants be awarded costs of this action and reasonable attorneys fees;
3. For such further relief as the Court deems just and proper.

Dated this 8<sup>th</sup> day of December, 2005.



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**COLIN M. THOMPSON**  
Attorney for Defendants  
Micronesian Telecommunication Corp.  
and Pacific Telecom Inc.